

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVID L. WATKINS, #219698,)
Petitioner,)
v.)
WARDEN DANIEL, *et al.*,)
Respondents.)

CASE NO. 2:07-cv-1040-MHT
[WO]

ORDER

The magistrate judge entered a recommendation (Doc. #13) in this case to which no timely objections have been filed. After a review of the recommendation and after an independent and *de novo* review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is ORDERED that the recommendation (Doc. #13) of the magistrate judge is adopted and the petition for habeas corpus relief (Doc. #1) is denied due to petitioner's failure to file the petition within the one-year period of limitation set forth in 28 U.S.C. § 2244(d)(1).

It is further ORDERED that costs are taxed against petitioner, for which execution may issue.

A separate judgment shall be entered.

Done this 30th day of November, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE